

JAN 23 2006

[10121/00308]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s) : McAlister et al.  
Serial No. : 10/764,619  
Filing Date : January 26, 2004  
For : Stapling and Cutting in Resectioning for Full Thickness  
Resection Devices  
Group Art Unit : 3731  
Examiner : Gary Jackson

Mail Stop: Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RENEWAL PETITION UNDER 37 CFR 1.181**

This is in response to the Decision on Petition mailed on January 13, 2006. The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the USPTO. The date of abandonment is the day after the expiration of the period set for reply to the Office Action, plus any extensions of time actually obtained.

APPLICANTS HEREBY PETITION FOR REVIVAL OF THIS APPLICATION.

The entire delay in filing the required reply, from the due date for the required reply to the filing of a grantable petition under 37 C.F.R. § 1.137(b), was unintentional.

A favorable decision on this petition is respectfully requested.

Dated: January 23, 2006

  
By: Oleg F. Kaplun (Reg. No. 45,559)

01/24/2006 TL0111 00000053 10764619  
01 FC:1453 1500.00 OP

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JAN 23 2006

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WWW.FKMIPLAW.COM**FACSIMILE COVER SHEET**

**FAX NO** : 1-571-273-8300

**TO** : Examiner Alesia M. Brown  
Mail Stop: Petitions

**FROM** : Oleg F. Kaplun  
Fay Kaplun & Marcin, LLP

**DATE** : January 23, 2006

**SUBJECT** : Endoscopy  
U.S. Patent Appln. Serial No. 10/764,619  
*for Stapling and Cutting in Resectioning for Full  
Thickness Resection Devices*  
Our Ref.: 10121/00308

**NUMBER OF PAGES INCLUDING COVER : 5****MESSAGE:**

Please see attached.

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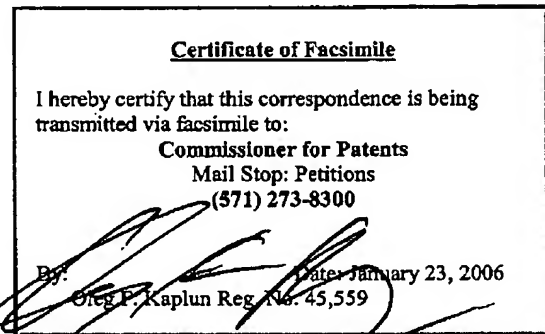
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[10121/00308-00-0044CON2]

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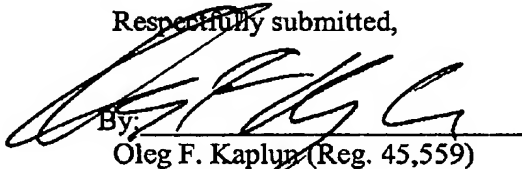
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**TRANSMITTAL**

Transmitted herewith please find a Renewal Petition under 37 CFR 1.181 in response to a Decision on Petition mailed on January 13, 2006 for filing in the above-identified application. Please charge the Credit Card of **Fay Kaplun & Marcin, LLP** in the amount of \$1,500.00 (PTO-Form 2038 is enclosed herewith). The Commissioner is authorized to charge the Deposit Account of **Fay Kaplun & Marcin, LLP** No. 50-1492 any additional required fees. A copy of Transmittal is included for that purpose.

Respectfully submitted,

Dated: January 23, 2005

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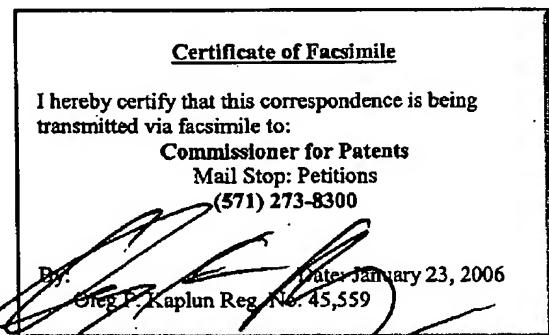
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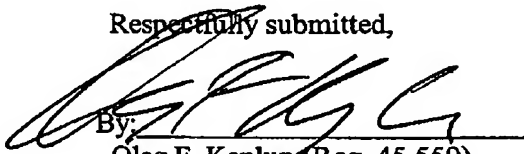
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